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March 18, 2011

Via E-Filing and regular mail

Hon. Susan Wigenton
United States District Judge
Martin Luther King, Jr. Federal Building and U.S. Courthouse
50 Walnut Street, Courtroom 5C
Newark, New Jersey 07101

Re: ***American General v. Teller Family, et al.***
Docket no. 2:10-cv-05604-SDW-MCA

Dear Judge Wignenton:

We represent the defendants in the above matter.

On January 25, 2011 defendants filed a motion to dismiss and/or change venue (Docket Entry no. 14) which was deemed submitted on March 7, 2011 and to my knowledge is as of yet undecided.

On March 9, 2011, plaintiff filed a motion for partial judgment on the pleadings as to some of defendants' counterclaims (Docket Entry no. 33) which is returnable on April 18, 2011.

On Wednesday of this week, March 16, 2011, Magistrate Arleo conducted a telephonic conference with all counsel to rule upon certain issues regarding plaintiff's proposed protective order. During that conference, Magistrate Arleo stayed all discovery pending the determination of defendants' motion to dismiss which was fully briefed and deemed submitted as of last week.

In the interests of judicial economy and to avoid the defendants' expenditure of needless legal fees, since the defendant Trusts have limited assets, defendants requested plaintiff's

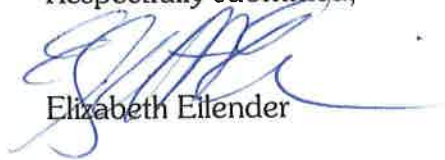
counsel, Ms. Wilson, to agree to either withdraw or hold plaintiff's motion for partial judgment on the pleadings (33) in abeyance pending the Court's determination on defendants' pending motion to dismiss for lack of jurisdiction.

Plaintiff's counsel declined to withdraw or agree to hold plaintiff's motion in abeyance.

As defendants do not wish to waste the Court's time in having to rule on a motion which may be moot depending upon the decision on defendants' motion to dismiss and/or change venue as an initial matter and Magistrate Arleo's ruling staying discovery, defendants respectfully request that the entire action be stayed pending the court's determination on defendants' motion (14) and that plaintiff's motion for partial judgment on the pleadings be deemed filed but held in abeyance until the Court determines whether or not there is jurisdiction over the defendants.

If the Court finds there is no jurisdiction the Court need not deal with any other issues. Similarly, if the action is not dismissed but venue is changed, the judge in the new venue can decide the remaining issues.

Respectfully submitted,



Elizabeth Ellender

cc:

Magistrate Judge Madeline C. Arleo (Via US Regular mail)
Martin Luther King, Jr. Federal Building and U.S. Courthouse
50 Walnut Street
Newark, New Jersey 07101

Via e-filing and e-mail:

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